

amendment under 37 CFR 1.16 and reconsideration of this application are respectfully requested because it places the application into condition for immediate allowance, or in the alternative, it narrows the issues for appeal.

In the Final Office Action, the Examiner indicated that claims 12, 13 and 15-19 were allowed and that claims 3, 4 and 6-10 contained allowable subject matter and were merely rejected as being dependent on a rejected base claim.

Of interest is the Examiner's Statement for Reasons of Allowance, which according to the MPEP §1302.14, is given in cases where the patentability of the claims is not immediately evident. In other words, the examiner will state what structural elements he considers to be patentable over the prior art of record. In his Statement appearing on Page 5 of the Final Office Action, the Examiner recites as such elements: "each of the terminals including a spherical contact applied to the terminal" and he also repeats this language again at the end of his long sentence listing "patentable" structural elements. This Statement is inaccurate because only dependent claims 6, 10 and 16 and independent claim 19 mention at all, the terms "spherical contacts". The Statement appears to be nothing more than a reiteration of independent claim 19, which is misleading to those who would review the file history of this application after issuance. Applicants had requested correction of this matter in their first amendment and the Examiner has ignored the same as evidenced by his failure to correct the Statement or to even express the consideration to acknowledge the same.

Turning now to the rejection of claims 1,2, 5 and 11 as anticipated by RATHBURN '521, it is evident that the Examiner is inflicting his own erroneous interpretation of applicants' claim language, and he further chooses to ignore what one skilled in the art would understand in reading the claim. That is not surprising, given the fact that the examiner is not one skilled in the art.

The Examiner has chose to engage in a torturous and erroneous interpretation of claim 1, one which is not supported by the record and one which will not be accepted by the Board of Appeals and one which should be reversed in the quality control review that an Appeal will trigger. Applicants indicate that a Notice of Appeal is being filed concurrently with this response under final rejection.

In his rejection of claim 1, the Examiner has chosen to ignore the language therein that the "terminal retention members extending into said connector housing to thereby hold said terminals in place" at lines 12-13 thereof, and has further chosen to ignore the language of claim

1 that the “retention stub [is] formed by bending said terminal upon itself” at line 14 thereof. Such structure is not shown or suggested by RATHBURN ‘521. It is interesting to note that all the claims which recite that the terminal retention members as “embedded” in the connector housing (which is just one way in which the retention members extend “into” the connector housing) have been allowed. The Examiner appears to want to restrict applicants to the structure depicted in their preferred embodiment and nothing else. Applicants are the first to invent the claimed structure and are entitled to broad coverage on the same, barring any prior art which discloses or suggests the same. Such a restrictive approach by the Examiner denigrates and contradicts the purpose of the patent system in the United States as well as unduly and unnecessarily increases the cost of patent prosecution to applicants, and also inhibits the goal of quick patent examination and issuance that is embodied in the Patent Office’s 21st Century Strategic Initiative.

Nowhere in RATHBURN ‘521 is a terminal shown which has retention members that extend into the housing as claimed in independent claim 1. RATHBURN ‘521 is an LGA connector that is used for the same connection application as are applicants’ claimed connectors. However, RATHBURN has an entirely different structure that clearly teaches away from the connector structure claimed by applicants. Using the Examiner’s Attachment, RATHBURN ‘521 has a housing H, that has a horizontal extent 762, 762’ (easily distinguished by slanted lines are angled to the bottom left of the Figure). This horizontal extent of the connector housing has a plurality of holes, or cavities, formed therein. These cavities are not labeled in FIG. 38, but are shown as being filed with a “resilient, dielectric encapsulating material” (Column 9/lines 1-3). This encapsulant material completely encompasses the body portions of the terminals on RATHBURN ‘521 as evidenced by the interposing of the encapsulating material in the drawings of RATHBURN ‘521.

All of the embodiments of RATHBURN ‘521 are explained in terms of a separate housing with an opening that is filled with a separate and different encapsulating material which serves to attach the terminals of RATHBURN ‘521 to its housing. None of the contacts or terminals are attached to the housing and therefore cannot be “embedded” in the housing or any of their portions “extend” into the housing. The encapsulant is not the connector housing, but is a separate material in the form of a plug that is inserted into an opening(s) in the connector housing. The Examiner has failed to refer to a dictionary to determine the meaning of “encapsulated” and ignores the fact that it is not a housing material, such as a rigid plastic. The

Examiner conveniently attempts to skirt this difference by stating, without any credible factual support, on Page 6, Paragraph 7 of the Final Office Action that claim 1 does not call for the housing to be one-piece. Notwithstanding what a tortured interpretation such a statement calls for, it is evident that the Examiner has relied upon impermissible hindsight in this rejection.

Indeed, the housing and the encapsulant are described in the body of RATHBURN '521 as being formed from entirely different structural materials, one having body and the other being resilient. (Column 10, lines 8-15 and lines 33-39.). Hence, it is impossible, even under a tortured interpretation that the Examiner seeks to apply to, to state with any measure of credibility that the terminals in RATHBURN '591 are "embedded" in the connector housing or have retention members that extend into the connector housing. Anyone can clearly see that the terminals are encapsulated within a resilient or elastomeric compound in the form of a plug that is inserted into cavities formed in the connector housing. With the existence of such a separate plug, the terminal retention members of RATHBURN '521, which are "encapsulated" (note the encapsulant that extends between the purported terminal retention members of RATHBURN '521) and simply cannot "extend into" the connector housing as claimed by applicants in independent claim 1.

Moreover the terminals in RATHBURN '521 are stamped, or blanked, and are not in any manner folded upon themselves to define any sort of retention stub as claimed in independent claim 1. The Examiner should be well aware that an S-shaped stamped or blanked terminal, is not folded or bent upon itself, as called for in independent claim 1. Indeed, the drawings, and specifically FIG. 38 expressly relied upon by the Examiner illustrate that the terminals of RATHBURN '521 are maintained in isolation from contact with the connector housing and as such, they cannot have any sort of retention feature that extends into the connector housing as claimed. The Examiner obviously does not appreciate that with the claimed invention, where the retention members are bent upon themselves, the height of the connector is significantly reduced. In a connector such as RATHBURN '521, the terminals are retained by frictional forces which increase as the length of the frictional surface increases. Hence, connectors of the RATHBURN '521 style will not offer the advantages of applicants' claimed invention.

It should now be clear that the Examiner has misread both the pending claims and the prior art and that the prior art, whether taken solely as in the Office Action or combined, does not anticipate or render obvious the pending claims. Withdrawal of all the rejections and the immediate allowance of claims 1, 2, 5 and 11 are respectfully requested.

Respectfully submitted,

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